

SENATE BILL No. 35

DIGEST OF INTRODUCED BILL

Citations Affected: None (noncode).

Synopsis: Open burning. Until January 1, 2006, allows a unit of local government to allow open burning of leaves under certain circumstances at a residence that is located in both an unincorporated area and an ozone nonattainment area if the burning occurs after September 30 and before December 1, or after March 31 and before May1.

Effective: Upon passage.

Landske

November 18, 2003, read first time and referred to Committee on Environmental Affairs.

C
o
p
y



Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 35

A BILL FOR AN ACT concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) Subject to
2 **IC 13-17-9-3 and notwithstanding 326 IAC 4, a unit of local**
3 **government may allow open burning of leaves at a residence that**
4 **is located in both an unincorporated area and an ozone**
5 **nonattainment area (as defined in 326 IAC 1-2-46) if:**
6 (1) the burning occurs:
7 (A) after September 30 and before December 1; or
8 (B) after March 31 and before May 1;
9 (2) the burning occurs in a noncombustible container that is
10 sufficiently vented to induce adequate primary air combustion
11 and has enclosed sides, a bottom, and a mesh covering; and
12 (3) yard waste or leaf pickup is not available at the residence.
13 (b) This SECTION expires January 1, 2006.
14 SECTION 2. An emergency is declared for this act.



C
o
p
y